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Attorneys for Plaintiff Ashot Egiazaryan

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ASHOT EGIАЗARYAN,	:
	:
Plaintiff,	:
	:
-against-	:
	:
PETER ZALMAYEV,	:
	:
Defendant.	:
-----X	

11 CV 02670 (PKC) (GWG)
ECF
**DECLARATION OF
JONATHAN D. LUPKIN**

JONATHAN D. LUPKIN, hereby declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member of the law firm Flemming Zulack Williamson Zauderer LLP, counsel for plaintiff Ashot Egiazaryan in the above-captioned action. I submit this declaration in opposition to Rinat Akhmetshin's motion to quash the subpoena *duces tecum* issued by plaintiff to Google, Inc. ("Google") and dated July 16, 2012 (the "Google Subpoena"), and in support of plaintiff's cross-motion to compel Mr. Akhmetshin to consent to Google's compliance with the Google Subpoena.

2. Annexed as Exhibit 1 is a true and correct copy of the Google Subpoena.

3. Annexed as Exhibit 2 is a true and correct copy of relevant excerpts from the Transcript of the Deposition of Rinat Akhmetshin, taken on March 20, 2012.

4. Annexed as Exhibit 3 is a true and correct copy of a letter from Jason T. Cohen to Google, dated July 16, 2012, enclosing the Google Subpoena.

5. Annexed as Exhibit 4 is a true and correct copy of a letter from Jason T. Cohen to Kim H. Sperduto, counsel to Mr. Akhmetshin, dated July 17, 2012.

6. Annexed as Exhibit 5 is a true and correct copy of an e-mail from James P. Golden to Grant A. Shehigian, dated August 8, 2012.

7. Annexed as Exhibit 6 is a true and correct copy of a letter from Kim H. Sperduto to Magistrate Judge Gorenstein, dated August 7, 2012.

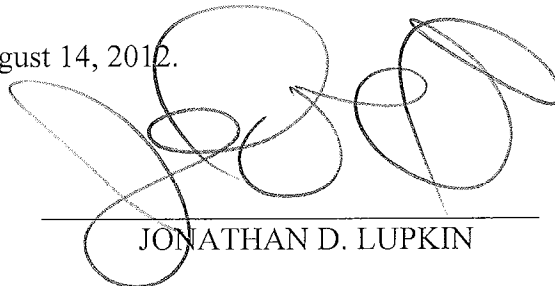
8. Annexed collectively as Exhibit 7 are true and correct copies of documents produced in this litigation, and marked at Mr. Akhmetshin's deposition as Exhibits 173-183. Also included as the last item in this exhibit is a document produced by Public Strategies, Inc. that bears bates designations PSI 2125-2134. The confidentiality designations for all documents in Exhibit 7 that bear such a designation were removed by counsel for Public Strategies, Inc. on or about June 29, 2012.

9. Annexed as Exhibit 8 is a true and correct copy of the subpoena *duces tecum* issued in this case to Rinat Akhmetshin.

10. Annexed as Exhibit 9 is a true and correct copy of relevant excerpts from the Transcript of the Deposition of defendant Peter Zalmayev, taken on March 27 and 28, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on August 14, 2012.



JONATHAN D. LUPKIN